

**KLESTADT WINTERS JURELLER  
SOUTHARD & STEVENS, LLP**

570 Seventh Avenue, 17<sup>th</sup> Floor  
New York, NY 10018  
Telephone: (212) 972-3000  
Facsimile: (212) 972-2245  
Fred Stevens  
Maeghan J. McLoughlin

**Hearing Date: July 21, 2015  
Hearing Time: 2:00 p.m. (EST)**

*Special Counsel to Richard E. O'Connell,  
Chapter 7 Trustee*

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

-----X	
In re	:
	:
HERMAN SEGAL,	:
	:
Debtor.	:
-----X	

Chapter 7  
Case No. 13-45519 (NHL)

**NOTICE OF AGENDA FOR HEARINGS  
SCHEDULED FOR THURSDAY, JULY 21, 2015**

Time and Date of Hearing: **July 21, 2015** at **2:00 p.m.** (prevailing Eastern Time) (the "Hearing").

Location of Hearing: Courtroom of the Honorable Nancy Hershey Lord, United States Bankruptcy Judge, United States Bankruptcy Court for the Eastern District of New York, 271 Cadman Plaza East, Brooklyn, New York 11201-1800

Copies of Pleadings: A copy of each of the pleadings may be viewed on the Court's website at [www.ecf.nyeb.uscourts.gov](http://www.ecf.nyeb.uscourts.gov)

**I. UNCONTESTED MATTERS**

- A. O'Connell v. Kolp, et al., Adv. Pro. No. 14-1140 (NHL) – Adversary Proceeding Seeking (I) Turnover of Real Property at 4115 Quentin Road, (II) Authority to Sell Yocheved Segal's Undivided Interest, if any, (III) Determination of the Extent, Validity and Priority of all Liens Against Property, (IV) Avoidance of Certain Liens and Fraudulent Conveyances, (V) Carve-Out of Mortgages for Trustee's Fees and Costs in Disposing of Property, and (VI) Objection to Claims – Pretrial Conference**

Related Documents:

1. Trustee's Complaint [14-1140 Docket No. 1] (Filed October 22, 2014)
  - a. Summons [14-1140 Docket No. 2] (Filed October 23, 2014)
  - b. Affidavit of Service re Service on Domestic and International Defendants [14-1140 Docket No. 6] (Filed October 30, 2014)
  - c. Supplemental Affidavit of Service re Service on Domestic and International Defendants [14-1140 Docket No. 7] (Filed October 31, 2014)
  - d. Notice of Dismissal Without Prejudice Against Defendants First Financial Equities, Inc., GMAC Mortgage, LLC and Bank of America, N.A., Only [14-1140 Docket No. 15] (Filed December 16, 2014)
  - e. Answer to Complaint by Dov Buzaglo, Chaim Israel Horvitz, Baruch Klein, Avigdor Landesman, Betzalel Shmuely, Gilad Shteingart, Eliezer Silber, Dov Skibin, David Zeev [14-1140 Docket No. 48] (Filed May 7, 2015)

**DEFAULTS:** Shlomo Kolp (Judgment Entered January 31, 2015 [Docket No. 29]); Herman Segal; Yitzchok Ovadia; Moshe Meshulvin

2. Yocheved Segal's Answer to Complaint with Counterclaim and Cross-Claims [14-1140 Docket No. 33] (Filed February 19, 2015)
  - a. Trustee's Answer to Counterclaims of Yocheved Segal with Affirmative Defenses [14-1140 Docket No. 41] (Filed March 4, 2015)
  - b. Annette Kleinfeld's and Alma Kim Green's Answer to Cross-Claims [14-1140 Docket No. 44] (Filed March 11, 2015)
  - c. Answer to Cross-claim of Yocheved Segal by Dov Buzaglo, Chaim Israel Horvitz, Baruch Klein, Avigdor Landesman, Betzalel Shmuely, Gilad Shteingart, Eliezer Silber, Dov Skibin, David Zeev [14-1140 Docket No. 49] (Filed May 7, 2015)

**DEFAULTS:** Yitzchok Ovadia; Moshe Meshulvin

3. Annette Kleinfeld's and Alma Kim Green's Answers, Affirmative Defenses, Counterclaims and Cross-Claims [14-1140 Docket Nos. 45] (Filed March 13, 2015)

- a. Trustee's Answer to Counterclaim of Annette Kleinfeld and Alma Kim Green [14-1140 Docket No. 46] (Filed March 13, 2015)
- b. Answer to Cross-claim of Annette Kleinfeld and Alma Kim Green by Dov Buzaglo, Chaim Israel Horvitz, Baruch Klein, Avigdor Landesman, Betzalel Shmueli, Gilad Shteingart, Eliezer Silber, Dov Skibin, David Zeev [14-1140 Docket No. 50] (Filed May 7, 2015)

**DEFAULTS:** Shlomo Kolp; Herman Segal; Yocheved Segal; Yitzchok Ovadia; and Moshe Meshulvin

4. Cross-Claims by Dov Buzaglo, Chaim Israel Horvitz, Baruch Klein, Avigdor Landesman, Betzalel Shmueli, Gilad Shteingart, Eliezer Silber, Dov Skibin, David Zeev against Yocheved Segal [14-1140 Docket No. 48] (Filed May 7, 2015)

Status: The status conference is going forward. The Trustee intends to note the defaults of Yitzchok Ovadia; Moshe Meshulvin and propose method for seeking default judgments. The Trustee intends to see establishment of discovery deadlines and schedule.

**B. O'Connell v. Kolp, et al., Adv. Pro. No. 14-1140 (NHL) – Motion for Default Judgment Against Defendant Herman Segal**

Related Documents:

1. Motion for Entry of Default Judgment [14-1140 Docket No. 56] (Filed June 15, 2015)
  - a. Affidavit of Service [14-1140 Docket No. 57] (Filed June 15, 2015)
  - b. Notice of Motion, Hearing and Opportunity to Object [14-1140 Docket No. 56-4] (Filed December 4, 2014)

Status: This matter is going forward.

**C. Grunfeld v. O’Connell, et al., Adv. Pro. No. 14-1224 (NHL) – Adversary Proceeding Seeking, Among Other Things, Determination of Who Holds Title to Debtor’s Cooperative Apartment in Miami Beach – Pretrial Conference**

Related Documents:

1. Grunfeld’s Complaint [14-1224 Docket No. 1] (Filed December 3, 2014)
  - a. Summons [14-1224 Docket No. 2] (Filed December 4, 2014)
  - b. Summons Served Certificate of Service [14-1224 Docket No. 3] (Filed December 12, 2014)
  - c. Answer of Robert Steinherz [14-1224 Docket No. 11] (Filed January 9, 2015)
  - d. Answer of The Esquire House of M.B., Inc. [14-1224 Docket No. 21] (Filed February 6, 2015)
  - e. Answer by Yocheved Segal [14-1224 Docket No. 30] (Filed March 2, 2015)

**DEFAULTS:** Herman Segal

2. Trustee’s (I) Answer to Grunfeld’s Complaint with Affirmative Defenses; (II) Counterclaims Against Grunfeld; (III) Cross-Claims Against Herman Segal, Yocheved Segal and Robert Steinherz; and (IV) Third-Party Complaint Against Darlann Demino and John and Jane Does [14-1224 Docket No. 6] (Filed January 5, 2015)
  - a. Notice of Deadline to Answer Counterclaims and Cross-Claims [14-1224 Docket No. 7] (Filed January 6, 2015)
  - b. Third Party Summons Issued on Darylann Demino and John and Jane Does [14-1224 Docket No. 8] (Filed on January 7, 2015)
  - c. Answer to Counterclaims by Larry Grunfeld [14-1224 Docket No. 15] (Filed January 27, 2015)
  - d. Answer to Crossclaims by Robert Steinherz [14-1224 Docket No. 19] (Filed February 5, 2015)

**DEFAULTS:** Herman Segal, Darlyann Demino and John and Jane Does of the Miami Coop.

3. Yocheved Segal’s Answer, Counterclaims and Cross-Claims [14-1224

Docket No. 30] (Filed March 2, 2015)

- a. Trustee's Answer to Cross-Claims of Yocheved Segal [14-1224 Docket No. 31] (Filed March 4, 2015)
- b. Larry Grunfeld's Answer to Counterclaim [14-1224 Docket No. 36]

Status: This matter is going forward. Defaults exist by Herman Segal, Darylann Demino and the John and Jane Doe occupants of the Miami Coop. The Trustee intends to request short extension of discovery.

**D. Grunfeld v. O'Connell, et al., Adv. Pro. No. 14-1224 (NHL) – Motion for Entry of Default Judgments Against Darylann Demino and John and Jane Doe Occupants [Docket No. 39] (Filed June 19, 2015)**

Related Documents:

1. Notice of Hearing [14-1224 Docket No. 39-4] (Filed June 19, 2015)
2. Proposed Forms of Order and Judgment [14-1224 Docket No. 39-2&3] (Filed June 19, 2015)
3. Affidavit of Service [14-1224 Docket No. 40] (Filed June 22, 2015)

Status: This matter is going forward.

**E. Trustee's Motion for an Order, Pursuant to Fed. R. Bankr. P. 2004, Authorizing the Trustee to Examine and Obtain Documents (I) 11-45 Ryerson Holdings LLC, (II) Chaim Miller, a/k/a Harry Miller, (III) Sam Sprei, (IV) 29 Ryerson Street LLC, (V) SDF47 Ryerson Street LLC, and (VI) Madison Realty Capital [Docket No. 234] (Filed June 19, 2015)**

Related Documents:

1. Affidavit of Service [Docket No. 235] (Filed June 22, 2015)
2. Joint Objection of 29 Ryerson Street LLC and SDF47 Ryerson Street LLC to Motion [Docket No. 239] (Filed July 7, 2015)
3. Notice of Hearing on Objection for July 21, 2015, at 2:00 p.m. [Docket No. 240] (Filed July 9, 2015)
4. Statement of No Objection to Motion with respect to 11-45 Ryerson Holdings LLC, Chaim Miller and Sam Sprei [Docket No. 241] (Filed July 9, 2015)

a. Revised Proposed Order [Docket No. 241-1]

5. Trustee's Withdrawal of Motion with Prejudice with Respect to Objector's Only [Docket No. 243] (Filed July 13, 2015)

Status: This matter is going forward for purposes of addressing withdrawal as against objectors and seeking entry of modified order.

## II. CONTESTED MATTERS

**A. Grunfeld v. O'Connell, et al., Adv. Pro. No. 14-1224 (NHL) – Motion to Compel Robert Teitelbaum to Comply with the Trustee's Subpoena and Turn Over all Recorded Information [Docket No. 41] (Filed June 25, 2015)**

Related Documents:

1. Notice of Hearing [14-1224 Docket No. 41-11] (Filed June 25, 2015)
2. Proposed Form of Order [14-1224 Docket No. 41-8] (Filed June 25, 2015)
3. Affidavit of Service [14-1224 Docket No. 42] (Filed June 25, 2015)
4. Objection of Robert Teitelbaum to Motion to Compel [14-1224 Docket No. 43] (Filed July 14, 2015)

Status: This matter is going forward.

**B. Motion of Tower Capital Management, LLC for Relief from the Automatic Stay to Proceed with Foreclosure/Tax Sale of 4113 Quentin Road, Brooklyn, New York [Docket No. 232] (Filed June 15, 2015)**

Related Documents:

1. Amended Notice of Hearing [Docket No. 233] (Filed June 16, 2015)
2. Trustee's Objection to Motion [Docket No. 246] (Filed July 16, 2015)
  - a. Trustee's Affidavit of Service [Docket No. 48] (Filed July 16, 2015)
  - b. Joinder of Annette Kleinfeld and Alma Kim Green to Trustee's Objection [Docket No. 248] (Filed July 16, 2015)

Status: This matter is going forward

- C. Trustee's Motion for Entry of Orders, Pursuant to 11 U.S.C. §§ 105(a), 521(a)(4) and 542(e), Fed. R. Bankr. P. 2004(c) and 9016, and Fed. R. Civ. P. 45(d)(2) and (e): (I) Compelling the Debtor and Yocheved Segal to Produce Documents Pursuant to this Court's December 5, 2013 Order and the Trustee's Subpoenas Issued Pursuant to this Court's November 21, 2013 Order, (II) Holding the Debtor in Contempt of this Court's December 5, 2013 Order, and the Debtor and Yocheved Segal in Contempt of the Subpoenas, and (III) Imposing Appropriate Sanctions Against the Debtor and Yocheved Segal to Discourage Their Contemptuous Behavior and Obtain Compliance with this Court's Orders [Docket No. 66] (Filed March 6, 2014)**

Related Documents:

1. Order Authorizing Trustee to Conduct an Examination of the Debtor and Yocheved Segal [Docket No. 31] (Filed November 21, 2013)
2. Order Granting Motion to Compel and Directing and Ordering Debtor to File with the Court and Provide the Trustee with Schedules and Documents by no Later than Seventeen (17) Days Following the Entry of this Order [Docket No. 37] (Filed December 5, 2013)
3. Trustee's Affidavit of Service [Docket No. 69] (Filed March 7, 2014)
4. Amended Notice of Hearing Changing Hearing Time From 11:00 a.m. to 12:00 p.m. [Docket No. 70] (Filed March 11, 2014)
  - a. Trustee's Affidavit of Service [Docket No. 71] (Filed March 11, 2014)
5. Letter Requesting (1) mediation; (2) adjournment of all matters; and (3) extension of time to file responses to the Trustee's Motions [Docket No. 73] (Filed March 28, 2014)
6. Amended Notice of Hearing on Motion [Docket No. 169] (Filed February 2, 2015)
  - a. Affidavit of Service [Docket No. 179] (Filed February 10, 2015)
7. Objection of Herman Segal, Debtor [Docket No. 183] (Filed March 2, 2015)
8. Supplemental Statement of the Trustee in Support of his Motion along with Revised Proposed Order [Docket No. 217] (Filed April 30, 2015)
9. Additional Objection by Herman Segal [Docket No. 222] (Filed May 11, 2015)

10. Letter by Trustee Attaching the Debtor's Revised Position and Attaching Proposed Order with Black-line from Original Proposed Order [Docket No. 231] (Filed June 1, 2015)

Status: This matter is going forward for purposes of determining if the Court has any issue with the Trustee's revised order, the Trustee reporting on the status of the turnover of documents, addressing the Debtor's letter objection to production, and determining whether Debtor has inspected his Pennsylvania storage facility.

**D. Trustee's Motion Authorizing the Trustee to Make Forensic Images of All Electronic Devices Owned, Used or Controlled by Debtor [Docket No. 219] (Filed April 30, 2015)**

Related Documents:

1. Affidavit of Service [Docket No. 220] (Filed May 1, 2015)
2. Objection of Herman Segal, Debtor [Docket No. 223] (Filed May 11, 2015)

Status: This matter is going forward.

**E. Trustee's Motion for an Order: (I) Compelling Victoria Prestino and Roderick Reyes to Comply with the Trustee's Subpoenas, (II) Compelling Prestino and Reyes to Turn Over the Property Known as 2179 East 33rd Street, Brooklyn, New York, to the Trustee, and (III) Holding Prestino, Reyes and Debtor in Contempt of this Court's February 8, 2015 Order at Docket No. 176 and Punishing Such Contempt with Appropriate Sanctions [Docket No. 237] (Filed July 3, 2015)**

Related Documents:

1. Proposed form of Order [Docket No. 237-7]
2. Notice of Hearing [Docket No. 237-8]
3. Affidavit of Service [Docket No. 238] (Filed July 7, 2015)
4. Court's Order Finding Ownership in the Property and Directing its Sale Pursuant to Terms of Order [Docket No. 176] (Filed February 8, 2015)
5. Court's Order Authorizing the Examination of Roderick Reyes and Victoria Prestino [Docket No. 227] (Filed May 16, 2015)
6. Objection of Reyes and Prestino to Motion to Compel [Docket No. 244] (Filed July 15, 2015)



a. Exhibit to Objection [Docket No. 245] (Filed July 15, 2015)

Status: This matter is going forward.

Dated: New York, New York  
July 19, 2015

**KLESTADT WINTERS JURELLER  
SOUTHARD & STEVENS, LLP**

By: /s/ Fred Stevens

Fred Stevens  
570 Seventh Avenue, 17<sup>th</sup> Floor  
New York, New York 10018  
Tel: (212) 972-3000  
Fax: (212) 972-2245  
Email: fstevens@klestadt.com

*Special Counsel to Richard E. O'Connell, as  
Chapter 7 Trustee*